

REMARKS

Claims 19, 20, 23, 24, and 37-62 are currently pending in the application.

Applicants acknowledge with appreciation that the Examiner has allowed claims 44, 53, and 62. Applicants believe that the remaining claims as currently amended are also allowable, as discussed below.

Claims 20, 39-42, 45, 48-51, 54 and 57-60 have been amended to be written in independent form and to include all of the limitations of the base claim and any intervening claims in accordance with the Examiner's recommendation. Applicants reserve the right to present any cancelled subject matter in a co-pending application.

The amendments are supported by the application as originally filed, and do not constitute new matter. Entry of the amendments is respectfully requested.

Applicants request clarification as to the status of claim 24. Claim 24 is pending, but the Examiner has neither allowed nor rejected it.

Double Patenting

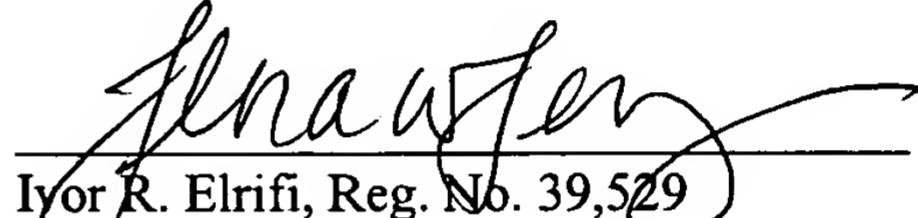
Claim 19, 23, 37-38, 43, 46-47, 52, 55-56 and 61 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6,153,186. The Examiner states that the conflicting claims are not patentably distinct from each other "because the referenced methods for loading isolated red blood cells inherently practice the methods recited in the claims" (Office Action, p. 2).

Applicants have filed a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) in conjunction with this Response.

CONCLUSION

If further discussion of this case is deemed helpful, the Examiner is encouraged to contact the undersigned at the telephone number provided below, and is assured of full cooperation in progressing the instant claims to allowance. While Applicant believes that no additional fees are required, the Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Reference No. 28195-517 CIP2 (Customer Number: 35437).

Respectfully submitted,



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